

PUBLIC HEARING—October 13, 1965

Appeal #8385 Elvin Brincefield, appellant.

The Zoning Administrator District of Columbia, appellee.

On motion duly made, seconded and unanimously carried the following Order was entered on October 19, 1965:

ORDERED:

That the appeal for a variance from the lot occupancy and FAR requirements of the R-4 District to erect a three-story apartment building with an FAR not to exceed 1.05 at 421-423 Que St. N.W., lots 15 and 16, square 509, be denied.

From the records and the evidence adduced at the hearing, the Board finds the following facts:

(1) Appellant's lots have a frontage of 30 feet on Que Street, a depth of 95 feet to a 10 foot wide public alley in the rear. The lots contain an area of 2850 square feet of land.

(2) Appellant proposes to erect on this property a three-story apartment building with two apartments per floor for a total of six. In erecting this building appellant requests an increase in the lot occupancy and FAR requirements over existing zoning requirements.

(3) There was objection to the granting of this appeal registered at the public hearing.

OPINION:

From the records and the evidence adduced at the hearing, the appellant was unable to prove and the Board was unable to find that by reason of exceptional narrowness, shallowness or shape of the property, or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or condition of the property, that the strict application of the regulations would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner.

In making this finding the Board has taken into consideration the fact that the property is rectangular in shape and has no exceptional narrowness, shallowness or shape, nor could be find any other ~~exceptional~~ extraordinary or exceptional situation or condition in the property, which would preclude appellant developing the land under normal regulation requirements.